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October 22, 2007

FACSIMILE (914) 390-4085
Honorable Judge Charles L. Brieant
United States District Judge
Southern District of New York
United States Courthouse
300 Quarropas Street
White Plains, New York 10601

11/14/07
9:00 AM -
So Ordered.
Oct. 23, 2007 *Charles L. Brieant*
USDS

Re: Trustees of the District Council 9, et al. v. Chelsea Development, Inc.
Docket No.: 06-CIV-6454 (CLB)
Initial Conference - October 26, 2007 at 9:00 a.m. *07 Civ. 6454*

Dear Honorable Judge Brieant:

This office represents the plaintiffs in the above matter. This letter makes reference to the initial court conference scheduled for Friday, October 26, 2007 at 9:00 a.m.

This matter involves the enforcement of a Collective Bargaining Agreement, more specifically, the Funds right to audit the books and records of an Employer. The defendant has agreed to allow and cooperate with an audit. The audit findings have been sent to the Employer and we have been informed by our client that the defendant has submitted a written rebuttal to the audit and the fund auditors are in the process of reviewing the rebuttal.

On consent, we respectfully request an adjournment of the initial court conference to a date in late November 2007 that is mutually convenient to the Court. This is the second request for an adjournment.

Kindly advise this office of the court's decision regarding our request.

Thank you for your assistance and courtesies.

Very truly yours,

**BARNES, IACCARINO, VIRGINIA,
AMBINDER & SHEPHERD, PLLC**

Dawn Stefanik
Dawn Stefanik
Paralegal

cc: Chelsea Development